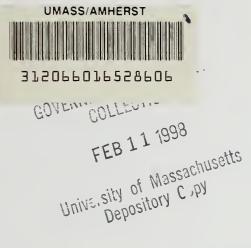
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A PROVISION CONTAINED IN

CHAPTER 12 OF THE

ACTS OF 1996

SECTION 25

A STUDY OF THE

MASSACHUSETTS DEPARTMENT OF CORRECTION

CLASSIFICATION SYSTEM



Table of Contents

Section 1

Study Mandate

Section 2

Overview of Classification

Process and History

Section 3

Pilot Test Results

Section 4

Classification Scoring Manual

Section 5

New Developments

Section 6

Recommendations

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STUDY MANDATE

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Acts of 1996 Chapter 12 Section 25

The secretary of the executive office of public safety, in consultation with the National Institute of Corrections, Federal Bureau of Prisons, shall commission a study of the classification process of the department of correction and incorporating the results of the objective point based classification system currently being tested at MCI-Norfolk and MCI-Concord for the purpose of improving the identification and assessment of current inmate risk and need. Said study shall make recommendations regarding the efficient use of Pre-Release and Minimum and Medium security placements by the department and removal of the impediments to such placements. Said study shall be submitted to the house and senate committees on ways and means and the joint committee on public safety no later than June thirtieth, nineteen hundred and ninety six.



OVERVIEW OF CLASSIFICATION PROCESS AND HISTORY

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OVERVIEW OF CLASSIFICATION PROCESS AND HISTORY

OVERVIEW OF CLASSIFICATION PROCESS AND HISTORY

Classification is not new to prison systems throughout the world. In fact, classification has been around for about two-hundred (200) years under a variety of names.

Classification, by definition in Massachusetts, is a system by which the security and program needs of each individual in the Department's custody is determined. The needs are regularly assessed and monitored.

During the 1970's, as offender populations increased, correctional practitioners recognized the need for objective and efficient methods of determining offender security levels. In 1972, the Legislature passed the <u>Correctional Reform Act</u> in which required the Department of Correction to develop a Comprehensive Classification System to:

- 1) Assess the needs of each inmate
- 2) Recommend the most appropriate housing
- 3) Establish a program plan with the inmate
- 4) Monitor the extent to which the program is followed.

A comprehensive classification plan includes gathering information regarding an inmate's background and environment, treatment needs, and supervision issues. Housing, safety issues, security and all other aspects of institutional life are reviewed. The basic principle is to provide a systematic means by which the security requirements and programmatic needs of each inmate are regularly assessed in relation to agency rules/regulations, statutory requirements and available resources.

Since 1972, the Massachusetts Department of Correction (DOC) has experimented with different classification systems in response to the <u>Correctional Reform Act</u>, all systems developed and used were categorized as subjective classification systems. Although consistant variables were reviewed throughout the Department, classification decision makers subjectively made recommendations regarding an inmate's security level and program plan.



In the ensuing years, ongoing development and refinement of classification systems improved the ability of the Department to more appropriately place offenders in existing facilities and to plan for future facility and staffing needs. A noteworthy initiative was the development and implementation of a system called <u>Classification and Program Agreements (CAPA)</u> introduced in the mid 1980's. CAPA was designed as a voluntary agreement offered to suitable and eligible inmates during a classification hearing whereby the DOC agreed to schedule a reduction in security based upon the inmate's response to program recommendations. As this system was utilized and monitored, an evaluation of the system was instituted. During the evaluation study, several issues resulted in the DOC seeking alternate classification systems.

Through research, training, and the review of available literature, it was learned that states utilizing objective classification systems experienced a reduction in rates of institutional violence, escapes, and litigation and became more effective in monitoring inmate movement. Studies have found that while prison populations are increasing in volume, they are also growing more diverse and complex. Therefore, existing classification systems need to be further refined to allow better assignment of housing based on inmate security and programming needs, as well as to identify inmates who are appropriate risks for placement in community based facilities.

OBJECTIVE POINT BASED CLASSIFICATION STUDY

The DOC secured additional information to research and propose an Objective Point Based System generic to our inmate population. Through the National Institute of Corrections, grants were sought and a study initiated. Priliminary studies showed that an objective system in Massachusetts would result in a more efficient utilization of existing bed space and additionally noted that major revisions to the current Classification System be pursued. Internal Task Forces were developed while ongoing discussion and research ensued. The research, in part, included gathering data from the Federal Bureau of Prisons, National Institute of Corrections and numerous other states. Additionally, the research targeted states with similar laws and correctional practices. The project continued under the direction of five successive Commissioners with various models being pilot tested and refined. Significant to note is that an Objective System of Classification is the trend nationally. At least forty five (45) states currently employ an Objective Classification System.



Finally, in 1995, an objective system was ready for introduction and testing on the inmate population. This pilot test was conducted at two correctional facilities, MCI-Norfolk and MCI-Concord.

While gathering empirical research to conduct the evaluation phase of the project, the system was then implemented at all level 5 and level 4 facilities beginning in July 1995. As with most new systems, modifications were necessary as was the development and implementation of a comprehensive training program.

The following pages, detail the results of the pilot study. A copy of the classification scoring manual is also included, detailing the variables examined and the scores/points associated with each variable.

The following security level designations have been formed as DOC policy and are listed below as a reference:

LEVEL 6

MCI-CEDAR JUNCTION

LEVEL 4

BAY STATE CORRECTIONAL CENTER
SHATTUCK HOSPITAL CORRECTIONAL UNIT
MCI- SHIRLEY MEDIUM
MASSACHUSETTS TREATMENT CENTER
NORTH CENTRAL CORRECTIONAL INSTITUTION

LEVEL 3

LONGWOOD TREATMENT CENTER
MCI-LANCASTER
NORTHEASTERN CORRECTIONAL CENTER
PONDVILLE CORRECTIONAL CENTER
SOUTH MIDDLESEX CORRECTIONAL CENTER
MINIMUM UNIT

LEVEL 2

BOSTON PRE-RELEASE CENTER
HODDER HOUSE
LANCASTER PRE-RELEASE
PARK DRIVE PRE-RELEASE
SOUTH MIDDLESEX CORRECTIONAL CENTER

LEVEL 5

OLD COLONY CORRECTION CENTER

LEVEL 4

BRIDGEWATER STATE HOSPITAL
MCI-FRAMINGHAM
MCI-CONCORD
MCI-NORFOLK
SOUTHEASTERN CORRECTIONAL CENTER

LEVEL 3

MASSACHUSETTS BOOT CAMP
MCI-PLYMOUTH
MCI-SHIRLEY MINIMUM
SOUTHEASTERN CORRECTIONAL CENTER
MINIMUM UNIT

LEVEL 1

PPREP CONTRACT HOUSES



PILOT TEST RESULTS

PILOT TEST RESULTS

PILOT TEST RESULTS

The purpose of this report is to present follow-up results of male inmates who were classified with the new system of objective point-based classification beginning in July 1995. Analyses consisted of looking at the inmates placement from their baseline point-based board to their subsequent/progress review placement as of March 27, 1996. This project stems from a department initiative to design a classification system which would improve the identification and assessment of inmate risks and security custody needs. A copy of the classification scoring manual is attached as Appendix A.

WHAT IS OBJECTIVE POINT-BASED CLASSIFICATION?

Objective, point-based classification is a system whereby inmates are assigned points based on a variety of factors or variables shown by empirical research to be significant predictors of their institutional adjustment. These points result in a total score that designates a particular security level placement to which an inmate is assigned. Objective classification contrasts with subjective classification which typically relies solely on the professional judgements of correctional decision makers. Many states have adopted, developed, and implemented objective classification systems over subjective systems because of its five documented advantages:

- Greater consistency, validity, and equity in decision-making across similar cases by different correctional staff.
- Reduces the likelihood of overclassification or underclassification since the points are derived from empirical research examining the relationship between each factor and the inmates' institutional adjustment.
- More appropriate use of (scarce) bed space since inmates are classified commensurate with the risks that they pose to staff, other inmates, and, public safety.
- Reduces inmate litigation contesting classification levels and transfers.
- Empirical research has indicated that statistical predictions are more reliable than innate and clinical predictions.

We now turn to the presentation of baseline to follow-up results in the next section.



BASELINE TO FOLLOW-UP RESULTS

Three similar analyses were conducted for this report. The first analysis consisted of examining our total sample of inmates (N=945), which included overrides, Old Colony Correctional Center (OCCC) remains, and instances in which the department relied on the point-based system. The primary focus of this analysis was to see how frequently inmates were transferred to different security levels from the baseline to follow-up period. For the second analysis, we exclusively focused on cases in which the department relied on the point-based scale when deciding placement for inmates at the baseline. Data were analyzed to determine if the point-based system was dependable in appropriately placing inmates in a particular security level. Finally, we separately examined cases that resulted in overrides to see if the department's subjective decisions from the baseline period held up at the follow-up stage. A table for each analysis is included to better explain where inmates are being placed.

In terms of baseline to follow-up movement rates for the total data set, the vast majority (81%) of inmates that were assigned to a level 3 / 2 facility at the baseline were either released from or currently still housed in a minimum/pre-release facility at the follow-up. This same pattern exists for those residing in a level 4 (87%), level 5 (74%), and level 6 facility (94%). In total, only 141 of the 940 cases (15%) were in a different security level from the classification decision made at the baseline period. Table 1 presents results for the total data set.

Table 2 consists of baseline cases that were not overridden by the department. In 68% of the cases, the department relied on the point-based scale when deciding placement for inmates. Follow-up data indicates that the majority of inmates were still residing in the same security level designated at the baseline period. At the minimum/prerelease level, only 15 of the 93 inmates (16%) who scored within the min/pre range at the baseline were now residing in a level 4 security facility. At the medium level, a mere 4% were transferred to a min/pre facility, while 6% were now in a maximum security level placement, and 2% were transferred to Texas. At the maximum level, only 3 of the 41 inmates (7%) who scored in the max range at the baseline were moved to a level 4 facility. In total, only 72 of the 590 cases (12%) resulted in the transfer of an inmate to a different security level from the baseline to the follow-up.

These low movement rates across security levels suggest that the new system of objective point-based is fairly effective in assigning inmates to the appropriate security level. However, it should be noted that the reasons for any movement from baseline to follow-up are unknown to us. If all 72 of the transferred inmates were moved for disciplinary/public safety reasons, one could argue that the system is not very reliable. On the contrary, if inmates were transferred primarliy due to lack of bed space, one could conclude that the new system is extremely efficient and effective in determining a suitable security level for a particular inmate.

¹ Max includes OCCC placements.



Table 3 examines override data to see if the department's subjective decisions from the baseline period held up at the follow-up stage. At baseline, overrides² occurred in 283 cases or 32.3% of the time. Of these, 39% were overridden to lower security and 61% to higher security. The results for these overrides are similar to those found in the previous section. At follow-up, the majority of inmates were still in the same security level that was subjectively assigned to them by the department at baseline. Only 38 of the 283 cases (13%) were now in a different security level than the level designated at baseline. This analysis implies that appropriate measures were taken at the baseline when deciding to override a score to a higher or lower placement.

 $^{^{2}}$ OCCC remains were not included in this analysis (N=69), therefore sample was based on 876 cases, instead of 945.

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TABLE 1:

BASELINE TO FOLLOW-UP INMATE STATUS

TOTAL DATA SET

(N = 945)^(a)

		INMATE'S STATUS AS OF MARCH 27, 1996						
	Final decision from baseline board ^(b)	Min/Pre ^(c) Levels 3 / 2	Medium Level 4	Old Colony Level 5	Maximum Level 6	Texas	Released	TOTAL
BASELIZE	Min/Pre Levels 3 / 2	57% (86)	18% (27)	1 % (2)	0% (0)	0 % (0)	24 % (37)	16% (152)
	Medium Level 4	6% (37)	79 <i>%</i> (504)	3% (19)	2% (11)	2 % (12)	8% (52)	68 <i>%</i> (635)
	Old Colony Level 5	0 % (0)	12 % (15)	67 <i>%</i> (81)	9% (11)	4 % (5)	7 % (9)	13% (121)
	Maximum Level 6	0% (0)	3 % (1)	3 % (1)	91 % (29)	0% (0)	3 % (1)	3 % (32)
	TOTAL	13% (123)	58% (547)	11% (103)	5% (51)	2% (17)	11% (99)	100 <i>%</i> (940)

Five of the 945 cases were not recorded for this analysis because inmate was either deceased or his status as of March 27, 1996 was unknown.

Baseline boards began on July 1, 1995.

Minimum includes pre-release and PPREP. Note: only 3 inmates went to PPREP. All three went from a minimum/pre-release facility.



TABLE 2: BASELINE TO FOLLOW-UP INMATE STATUS: WHEN THE DEPARTMENT COMPLIED WITH THE SYSTEM $(N = 593)^{(a)}$

		INMATE'S STATUS AS OF MARCH 27, 1996							
	Final decision from baseline board (b)	Min/Pre Levels 3 / 2	Medium Level 4	Maximum Level 6	Texas	Released	TOTAL		
B A S	Min/Pre Levels 3 / 2	57% (53)	16% (15)	0 % (0)	0 % (0)	27% (25)	16% (93)		
9 H L I Z E	Medium Level 4	4% (17)	79 % (362)	6% (26)	2 % (10)	9% (41)	77% (456)		
	Maximum ^(c) Level 6	0 % (0)	7% (3)	90% (37)	0 % (0)	2 % (1)	7% (41)		
	TOTAL	12 % (70)	64 % (380)	11% (63)	2 % (10)	11% (67)	100 <i>%</i> (590)		

Does not include OCCC remains (N=69) or overrides (N=283). Moreover, this analysis does not include three of the 593 cases because inmate was either deceased or his status as of March 27, 1996 was unknown.

⁽b) Baseline boards began on July 1, 1995.

⁽c) Max includes CJ and OCCC placements.



TABLE 3: BASELINE TO FOLLOW-UP INMATE STATUS: OVERRIDES (N = 283)^(a)

		INMATE'S STATUS AS OF MARCH 27, 1996						
	Final decision from baseline board ^(b)	Min/Pre ^(c) Levels 3 / 2	Medium Level 4	Old Colony Level 5	Maximum Level 6	Texas	Released	TOTAL
BASELIN	Min/Pre Levels 3 / 2	61% (37)	16% (10)	3 % (2)	0% (0) -	0 <i>%</i> (0)	20% (12)	22% (61)
	Medium Level 4	6% (11)	83 <i>%</i> (147)	2 % (3)	1 % (1)	1 % (2)	7% (13)	62 <i>%</i> (177)
	Old Colony Level 5	0 % (0)	13% (4)	63 % (20)	6% (2)	6% (2)	13% (4)	11% (32)
	Maximum Level 6	0% (0)	8% (1)	0% (0)	92 % (12)	0% (0)	0% (0)	5% (13)
	TOTAL	17% (48)	57% (162)	9 % (25)	5% (15)	1 % (4)	10% (29)	100% (283)

Analysis does not include OCCC remains (N=69). Overrides occurred in 283 cases out of 876, or 32.3% of the time. If inmate scored in max range and went to OCCC, it was not recorded as an override. Nineteen of the 283 overrides occurred when inmates scored in medium range and were placed at OCCC.

Baseline boards began on July 1, 1995.

Min/Pre includes PPREP. Note: only 3 inmates went to PPREP. All three went from a minimum/pre-release facility.



CLASSIFICATION SCORING MANUAL

CLASSIFICATION SCORING MANUAL

CLASSIFICATION SCORING MANUAL

Massachusetts Department of Correction 100 Cambridge Street Boston, MA 02202

INTRODUCTION

The purpose of this manual is to describe a new system of objective, point-based inmate classification which will be implemented in the Massachusetts Department of Correction. Each variable or classification factor to be included at the initial classification and subsequent classification process is described below. A copy of the Classification Form to be used in determining an inmate security level is attached as Appendix A. Section A of the form is used for Initial Classification and Section B of the form is used for Subsequent Classification. This is followed by Table A to be used in determining the Severity of the Current Offense and Table B to be used in assessing the Severity of Disciplinary Offenses. Appendix B is a listing of Violent Offenses Against the Person and Sex Offenses Against the Person which will be used in assessing criminal violence history.

INITIAL CLASSIFICATION

The initial classification scale consists of five (5) variables which, when totaled, will result in a Total Initial Classification Score to be used in designating security level placement. Those five variables are as follows:

- Severity of Current Offense.
- Escape History.
- Prior Institutional Violence/Major Disciplinary History.
- Overall Criminal History.
- Inmate's Age.

The scores or points associated with each variable will be summed to arrive at a Total Initial Classification Score which will result in an inmate being placed in one of three risk misconduct groups. These risk groups are:

- Low risk = 0-8 points (Minimum Security).
- Moderate risk = 9-24 points (Medium Security).
- High risk = 25 points or more (Maximum Security).

In other terms, the score that an individual inmate receives will determine the security level to which he will be assigned at initial classification. Thus, inmates who receive a Total Initial Classification Score of 25 or more points (high risk) will be classified to maximum security; those who receive a score of 9-24 points (medium risk) will be classified to medium security; and, those who receive a score of between 0-8 points (low risk) will be classified to minimum security.



The initial classification scale is attached as Section A of the Classification Form in Appendix A. Each variable within the initial classification system is defined and described below.

1. Severity of Current Offense

There are five (5) categories of the variable "Severity of Current Offense" which are defined as: low; low-moderate; moderate; high-moderate; and, high. In determining the severity of the current offense, please refer to Table A which categorizes offenses by level of severity. For example, a low severity offense such as larceny would receive 0 points while a high severity offense such as murder would receive 4 points. In cases where a person is convicted of and sentenced on multiple offenses, you should choose for scoring purposes, the most serious or severe of all the offenses in Table A. In other terms, select and score according to the one (1) offense which scores the highest on the severity table even if this is not necessarily the governing offense.

2. Escape History

This includes court and disciplinary convictions for escapes, desertions, and AWOLS from military service, walkaways from custody, parole/probation violations for fleeing jurisdiction with or without new crime, juvenile secure placements resulting from escape incidents, and breach of bail. There are four (4) categories to the classification factor "Escape History": none; low; moderate; and, high. You should score the most serious escape according to these categories when there are multiple escapes in the inmate's history. The definition of each category and the points to be assigned to each category are as follows:

None: No escape history. Receives zero points.

Low: A failure to appear in court (default), a violation of personal

recognizance, and/or bail jumping within the last five (5) years.

Receives 2 points.

Moderate: An escape from any facility more than five (5) years ago. Receives 5

points.

High: An escape from any facility within the last five years. Receives 9

points.

3. Prior Institutional Violence/Major Disciplinary History

This classification variable refers to <u>prior</u> institutional violence and major disciplinary history on <u>prior</u> incarcerations <u>or</u> in the period on the current incarceration preceding the initial classification hearing. There are six (6) categories which comprise this variable: none; low; low-moderate; moderate; high-moderate; and, high.



In order to score this variable, please refer to Table B which contains a Disciplinary Offense Severity Scale which was adapted from one developed by the American Correctional Association. It will be noted that this scale ranks disciplinary offenses along three (3) categories: Category I Offenses are High Severity (e.g., possession of explosives or ammunition); Category II Offenses are Medium Severity (e.g., misuse of authorized medication); and, Category III Offenses are Low Severity (e.g., defacing of state property).

In order to score this variable, the caseworker will need to examine combinations of disciplinary offenses which were committed by the inmate over a particular time period. Only those offenses which the inmate was found guilty of by a Disciplinary Hearing Board should be scored. Specifically, the five categories for this classification factor are defined as follows:

None: No prior history. Receives zero points.

Low: One (1) Category III infraction in last year. Receives 2 points.

Low-Moderate: Two (2) Category III offenses in last year or one (1) Category II

offense from 1 to 3 years ago. Receives 4 points.

Moderate: One (1) Category II offense in last year or more than 3

Category III offenses in last year or more than 5 Category II

offenses more than three years ago. Receives 6 points.

High-Moderate: Two to three Category II offenses in last year or more than ten

(10) Category III offenses in last year. Receives 8 points.

High: One Category I offense and more than three (3) Category II

Offenses in last year. Receives 10 points.

4. Overall Criminal History

There are five categories to the classification factor "Overall Criminal History": low; low-moderate; moderate; high-moderate; and, high. The definition of each category and the points to be assigned for each category are as follows:

Low: No prior arrest history; first incarceration. Receives zero

points.

Low-Moderate: Has prior arrests and convictions for misdemeanors but no prior

incarcerations or probations. Receives 1 point.

Moderate: Prior felony or misdemeanor convictions resulting in one (1)

state incarceration or multiple House-of-Correction sentences.

Receives 2 points.



High-Moderate: Has had convictions increasing in severity and frequency which

have resulted in one (1) to three (3) incarcerations in the state or

Federal prison system. Receives 3 points.

High: Has a pattern of criminal activity which has escalated to the

present offense. Numerous offenses and felony convictions which have resulted in four (4) or more prior incarcerations in

the state or Federal prison systems. Receives 4 points.

5. Inmate's Age

Inmates aged 29 years or younger receive 14 points on their initial classification score. Inmate's 30 years of age or older receive zero (0) points. The inmate's actual date-of-birth should also be recorded.

TOTAL INITIAL CLASSIFICATION SCORE

The Total Initial Classification Score is the summation of scores across all variables. This is the score which will designate the Misconduct Risk Group the inmate belongs to and which will result in a particular security level designation based on that risk group.

SUBSEQUENT CLASSIFICATION

The subsequent classification scale consists of seven variables some of which are different from those appearing on the initial classification scale. These appear as Section B of the Classification Form. These seven variables will be scored and summed to result in a Subsequent Classification Security Level Designation at each subsequent classification performed on an inmate. Those seven variables are as follows:

- Criminal Violence History (not including present offense).
- Escape History.
- History of Institutional Adjustment (previous incarceration only).
- Percentage of Time Served (based on time to parole eligibility).
- Number of Significant Major Disciplinary Convictions Past 12 Months (this incarceration only).
- Psychological Stability.
- Program Performance Past 12 Months (this incarceration only).



The scores or points associated with each variable on the subsequent classification scale will be summed to arrive at a Total Subsequent Classification Score which will result in an inmate being placed in one of three misconduct groups. These risk groups are slightly different than those used in the initial classification process. In other words, the point value ranges associated with each misconduct risk group are different at the subsequent classification stage than at the initial classification stage. The same point ranges at subsequent classification, however, should be used with each subsequent or reclassification hearing. Moreover, the classification decision-making process described for initial classification will remain the same for subsequent or reclassification.

The subsequent classification scale is attached as Section B of the form in Appendix A. Each variable within the subsequent classification system is described below.

1. Criminal Violence History (not including present offense)

This refers to violent offenses for which the inmate was previously convicted <u>not</u> including the present offense for which the inmate is incarcerated. Convictions for violent offenses include major disciplinary offenses committed while previously incarcerated, violent offenses previously committed as an adult, and offenses committed as a juvenile. Violent offenses are listed in Appendix B and consist of Offenses Against the Person (Chapter 265 of Massachusetts General Law) and Sex Offenses Against the Person (Chapter 265 of Massachusetts General Law). The three categories of this variable are:

Recent (within 5 years): Receives 3 points.

Past (over 5 years): Receives 0 points.

None: Receives 0 points.

2. Escape History

This includes court and disciplinary convictions for escapes, desertions, and AWOLS from military service, walkaways from custody, parole/probation violations for fleeing jurisdiction with or without new crime, juvenile secure placements resulting from escape incidents, and breach of bail. The three categories of this variable are:

Recent (within 5 years): Receives 4 points.

Past (over 5 years): Receives 0 points.

None: Receives 0 points.

3. History of Institutional Adjustment (previous incarceration only)

This factor refers to <u>overall</u> institutional adjustment on a previous incarceration which is defined as the last incarceration. To score this factor, the caseworker should examine



disciplinary reports, chronological notes, and incident reports from the last incarceration. It should be noted that this factor is scored slightly differently from variable #3 on the Initial Classification titled, "Prior Institutional Violence/Major Disciplinary History" which relies more strictly on an overall count of disciplinary infractions of various severity according to Table B: Disciplinary Offense Severity Scale. By contrast, this factor involves an overall assessment of prior institutional adjustment without a sole reliance on Table B. The categories and sub-categories of this factor are:

Severe Problems

Within past 2 years of last incarceration: Receives 4 points.

Over 2 years of last incarceration: Receives 4 points.

Moderate Problems

Within past years of last incarceration: Receives 4 points.

Over 2 years of last incarceration: Receives 1 points.

No problems: Receives 0 points.

4. Percentage of Time Served

This refers to the present commitment or a parole violation. There are four (4) categories associated with the variable "Percentage of Time Served (based on time to parole eligibility)" which are defined as follows: 76% or more which receives zero (0) points; 51 - 75% which receives one (1) point; 26 - 50% which receives two (2) points; and, 0 - 25% which receives three (3) points.

The percentage of time served represents the difference between the sentence effective date and the parole eligibility date. To calculate, subtract the number of months served at the time of the subsequent classification date from the actual sentence effective date, and then convert to a percentage of time served in order to determine the points to be associated with this factor. Inmates serving first degree life sentences have no parole eligibility date and will be considered as overrides. Therefore, please note that inmates serving first degree life sentences should receive no points on this variable and should be scored as N/A for not applicable.

5. Number of Significant Major Disciplinary Convictions During Past 12 Months (this incarceration only)

This is determined by counting the number of significant major disciplinary reports resulting in a guilty verdict within the past 12 months of the current incarceration. The determination of what constitutes a significant major disciplinary report should be made in the context of the security level in which the report occurred. For example, being-out-of-place in a prerelease center should be interpreted as a more significant disciplinary infraction than being-out-of-place in a medium security facility. In cases where there are multiple infractions which the inmate is convicted of on the same report, whether consolidated or not, the



caseworker should count them as one (1) major disciplinary conviction. Minor disciplinary convictions are not to be counted. There are four categories:

5 or more reports: Receives 17 points.

4 or more reports: Receives 13 points.

3 reports: Receives 10 points.

2 reports: Receives 7 points.

1 report: Receives 3 points.

No Reports: Receives 0 points.

6. Psychological Stability

This factor is to be primarily based upon psychological, psychiatric, or other mental health examinations which have been performed on the inmate. However, where there are no psychological or psychiatric reports available to the caseworker but behavioral indications that the inmate has some mental health issues (e.g., suicide attempts), the caseworker should consider these in scoring this variable. There are two categories.

Unfavorable reports: Receives 2 points.

Favorable reports/no problems noted: Receives 0 points.

7. Program Performance Past 12 Months (this incarceration only)

This factor is to be based on an average assessment of the inmate's program performance and compliance reports for the past 12 months of the current incarceration. The caseworker should attempt to discuss with program staff the inmate's performance and compliance in cases where written reports are unavailable. In cases where an inmate is not programmatically involved due to having completed all programs, or due to an absence of programs in the institution, the caseworker should assign no points. Similarly, where an inmate has no identified program need areas, the caseworker should assign no points. There are four categories to this factor:

Poor Reports: Receives 9 points.

Average Reports: Receives 6 points.

Good Reports: Receives 3 points.

Excellent Reports: Receives 0 points.



TOTAL SUBSEQUENT CLASSIFICATION SCORE

The Total Subsequent Classification Score is the summation of scores across all variables in Section B of the form. This is the score which will designate the particular security level designation for that inmate. The subsequent classification security level designations are:

Minimum/Pre 0-5 points.

Medium 6-26 points.

Maximum 27 or more points.

Two caveats are in order when scoring for subsequent classification purposes. First, it is important to note that the point ranges in the subsequent classification Security Level Designations are slightly different than those used at the initial classification stage. Thus, the caseworker should be careful to use the appropriate security level point range designations specific to initial classification and subsequent classification. While higher scores always indicate higher risk, poorer adjustment, and consequent need for greater security, the specific security level designation in light of the inmate's score must be determined by reference to the point range security designations specified for initial classification and subsequent classification. For example, an inmate scoring 25 at initial classification would be placed in maximum security while an inmate with the same score at subsequent classification would be placed in medium security.

Secondly, inmates scoring in the minimum/pre-release range will continue to be subject to the law that movement to pre-release is contingent upon eligibility as defined as being within 18 months to parole eligibility. Other restrictions on movement to lower security and community corrections programs pertain to inmates serving life sentences and sex offenders. These are discussed in the section on Classification Overrides below.

CLASSIFICATION OVERRIDES

A recommended classification may be overridden when it is determined that it is in the best interest of the inmate or institution. When the override condition is invoked, the reason and justification must be documented and signed by the person suggesting the override. The override and resulting classification must be endorsed by the Classification Board and approved by the facility Superintendent. Final approval rests with the Central Office Director of Classification except in cases of override by the Commissioner or Commissioner's designee.

There are nine conditions for the invocation of an override. These conditions include:

- 1. First-Degree Life Sentence.
- 2. Notoriety of Offense and/or Inmate.



- 3. Commissioner Override.
- 4. Legal Issues, Detainer, State Transfer Conditions.
- 5. Developmental Disability, Psychological, Medical.
- 6. Safety.
- 7. Severe Management Problem.
- 8. Sex Offender Override.
- 9. Other (please specify).

Overrides Specific to Lifers and Sex Offenders on Placement in Lower Security and Community Corrections Program

As described in a March 10, 1995 memorandum from Commissioner of Correction Larry E. DuBois to all community correction inmates, a recommendation was made to and accepted by the Executive Office of Public Safety concerning the placement criteria for lifers and other specific groups of inmates housed at the Community Correction level of security. This recommendation has been implemented and will result in the invocation of classification overrides when any of the following conditions exist. In sum, unlike the first list of overrides listed above which are discretionary, the following conditions result in an automatic override.

- 1. No Lifer with an escape history shall be permitted to progress in custody beyond medium security.
- 2. No Lifer shall be eligible for minimum security until they have served twelve (12) years and/or are within three (3) years of their projected release date (P.E.).
- 3. No Lifer shall be eligible for pre-release placement without a parole reserve date.
- 4. The Commissioner of Correction shall personally approve and sign-off on all lifers transferred to the pre-release level of security.
- 5. Inmates serving a sentence for 2nd Degree Murder, Involuntary Manslaughter, Mayhem, Assault with Intent to Murder, or a Sex Offense may only move from medium to minimum security after classification by the DOC and Parole has assessed the inmate and deemed him likely to be granted parole within three (3) years or if the inmate is within three (3) years of his discharge date.
- 6. Inmates serving a sentence for 2nd Degree Murder, Voluntary Manslaughter, Mayhem, Assault with Intent to Murder, or a Sex Offense may only move from minimum security to pre-release when they are within six (6) months of a



- discharge date, parole reserve date, or an open reserve date, not to exceed six (6) months from the time of entry into pre-release.
- 7. Sex offenders who are in denial or refuse to participate in designated programs and/or whose participation in such programs is determined to be unsatisfactory or non-compliant by program staff shall be denied placement in lower security until they choose to participate in designated programs and participate in a manner deemed to be satisfactory and compliant by program staff.

Notwithstanding the above, inmates currently housed within the Community Correction Division may remain at their present security level. However, those inmates currently within minimum security must meet the six (6) month criteria noted in #6 above prior to transfer to pre-release custody. All inmates within the groups defined, who are currently housed at medium security, must be reviewed and approved under these criteria guidelines prior to any transfer to the Community Correction Division.

Please note that any inmates returned to medium security from Community Corrections, for any reason, will be subject to review for appropriate placement under the guidelines of this new placement criteria.

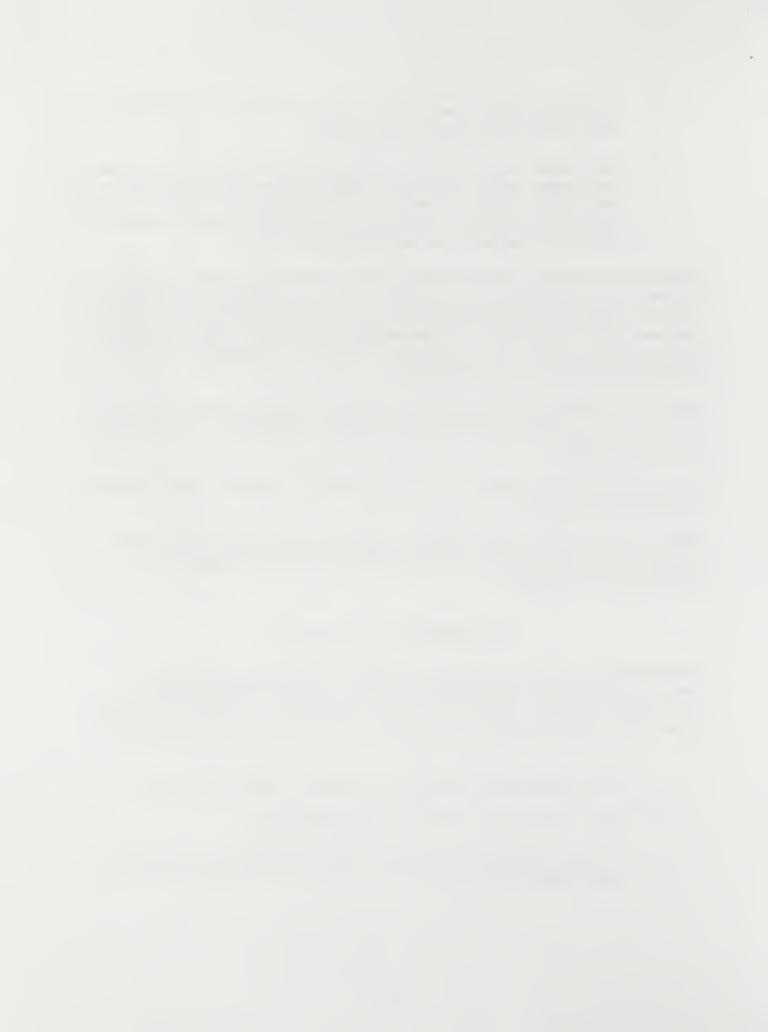
When the conditions that prompted an override are no longer relevant, a reassessment should be done as soon as possible.

Overrides are not usually invoked to move inmates to less restrictive classification levels. However, if such a classification should be proposed, it is subject to approval by the Commissioner of Corrections.

CLASSIFICATION CHALLENGES

Classification decisions can not be grieved. However, if an inmate disagrees with a classification decision, he may appeal the decision to both the Superintendent and/or the Commissioner's designee. Under normal conditions, an inmate will be allowed to move to the proposed level of classification and housing. Grounds for challenging a classification are:

- 1. Classification decision was based on insufficient or incorrect information.
- 2. Classification procedures were not properly followed.
- 3. The designated move to a less secure classification level would jeopardize the inmate's safety and security.



CHANGES TO THE CLASSIFICATION DECISION MAKING PROCESS UNDER THE NEW SYSTEM OF OBJECTIVE, POINT-BASED CLASSIFICATION

How, if at all, will the process of arriving at classification decisions change as the result of the introduction of a point-based, objective rating instrument? In actuality, the process itself will change very little. Correctional caseworkers will still be responsible for meeting with inmates, gathering relevant data and information on each case, and preparing a report and recommendation for the classification board. A Classification Board will still meet with the correctional caseworker and inmate in hearings, review the report and recommendation of the caseworker, and vote to approve, deny, or modify that recommendation. From there, the Institutional Superintendent (or designee) will still have responsibility for reviewing and electing to approve, deny, or modify the board's recommendation before final institutional sign off. Finally, Central Office Classification staff will still be responsible for final review and approval, denial, or modification of the institution's recommendation on all initial classifications and on those subsequent classifications involving a move to a different security level.

The system will change, however, in certain positive ways designed to streamline the classification process while simultaneously ensuring greater consistency, validity, and reliability in classification decision-making. Thus, all classification staff will be using the same criteria and weights (or points) in arriving at security level recommendations. While this will reduce the amount of subjective discretion available to staff in arriving at recommendations, it will also ensure greater equity among cases so that similar cases are treated in a similar fashion. Moreover, the amount of paperwork will be reduced greatly. There will no longer be a need for the development of five page narratives on each inmate which should have the effect of freeing staff to concentrate more intensively on obtaining the best available information to complete the form.

At the same time, staff will still have a certain amount of discretion in making classification recommendations in addition to what security level the scale alone would indicate. Thus, there will continue to be a summary of issues not captured by the form itself within the classification report. While the classification report will record the score resulting from the form, it will also highlight other relevant factors that may lead to a decision to invoke one of the Classification Override Factors described previously. In short, while the form is "objective" in the sense that it has been derived from the results of empirical research, there is still room for the introduction of more "subjective" comments or issues not found to be statistically significant by that research but yet which might prove important in the case of a particular individual.



LOW

Common and Notorious Thief Common Receiver of Stolen Common Night Walker Cocaine 28-99 grams Ocaine 14-27 grams Abuse Prevention Goods

Deriving Support from Prostitute Gorgery and Uttering Disturbing the Peace alse Alarm of Fire leroin 28-99 grams Cruelty to Animals Contempt of Court Jrunkenness **Hegitimacy** Jaming Fraud

Minor in Possession of Alcohol Motor Vehicle Offenses Joan Sharking/USURY eaving the Scene arceny

Under the Influence of Alcohol Operating a Motor Vehicle Other Sex Offenses Vonsupport

Receiving Stolen Goods R.S.G. Stubborn Child Prostitution Polygamy Stealing

Unlawful Possession of Alcohol Theft of a Motor Vehicle Violation of Civil Rights **Jse Without Authority** Vagrancy (Loitering) **Frespassing**

LOW MODERATE

Malicious or Wanton Injuries to Under Influence of Narcotics Being Present where Narcotic Controlled Substance Class D Controlled Substance Class E Inducing Another to Violate Operating a Motor Vehicle Compounding/Conceal-ing Att to Com Crime 274 6 Larceny from the Person Larceny Person Over 65 Environmental Offenses Possession of Burglary Drugs Illegally Kept Narcotic Drug Law Sodomy and Buggery Indecent Exposure Felonies 268 36 Resisting Arrest Class D - First Implement Property Burglary Incest

Assaults with Intent to Rob Steal Assault and Assault and Battery N/T w/ int. to commit felony) Breaking and Entering (D/T or Controlled Substance Class A Controlled Substance Class B Controlled Substance Class C Assault not Before Mentioned Cocaine Recipient Under 18 Assault D.W. gt. 65 15B a 3urglary, Being Armed or Class B PCP or Cocaine Cocaine 100-199 grams Class C First Offense Controlled Substance Making an Assault not being Armed Class D - Repeat

Lewdness, Child Pornography Open and Gross Lewdness, Defacing F/A 26911C Heroin 100-199 grams Other Pornography or Marijuana 50-99 lbs. Habitual Criminal Extortion

Dist of Drugs

Manslaughter

Possession of Narcotic Drugs Possession of Hypodermic Possession of Heroin Obscenities Syringe

Unnatural Acts with Child < 16 Unarmed Robbery Victim > 65 Uttering False Prescription 2nd Unnatural and Lascivious Acts Use of F/A Com. Fel 265 18B Theft of Controlled Substance Stealing Narcotic Drug Unarmed Robbery Stalking

Weapons Violation

HIGH MODERATE

MODERATE

A & B DW Victim Over 65

Assault and Battery with

Armed Robbery

Assault on Female under Sixteen Armed Assault with Intent Rob Assault with Intent to Commit with Intent to Commit Rape Assault with Intent to Commi or Murder, Victim Over 65 Armed Assaults in Dwelling Assaults with Intent to Rob Murder being Armed Attempted Murder Aggravated Rape Child under 14 Stealing Houses Murder Rape Conspiracy to Violate Controlled Accessory to Before/After Fact

Class A Recipient Under 18

Class B Repeat Offense

Class A Repeat Offense

Assault by Means of a

Dangerous Weapon

Dangerous Weapon

Class B Recipient under 18

Class C Recipient under 18

Cocaine 200+ grams

Substance Act

Escapes

Class C Repeat Offense

Class B Repeat Offense

Indecent Assault and Battery on Indecent Assault and Battery on Confining or Putting in Fear a Person for the Purpose of a Person over 14

Indecent Assault and Battery on Mentally Retarded Victim Marijuana 2000-9999 lbs. Marijuana 10000 - Ibs. Murder, 2nd degree Murder, 1st degree Kidnapping Mayhem Exploitation of minors in Sale + Violation of Restraining Order Possession of Narcotic Drugs Possession w.i. School Zone Marijuana 100-1999 lbs. Vehicular Homicide Heroin 200+ grams with Intent to Sell

Sale of Narcotic Drugs to a Person under 16 Sale of Heroin

Rape of Female Under

Rape of Child

Weapon Offenses

(209A)

Rape



TABLE B: DISCIPLINARY OFFENSE SEVERITY SCALE

DOC Offense Code	6 Counterfeiting, forging, misrepresentation on or unauthorized reproduction of any document, article of identification, money, security or official paper.	7 Tampering with or blocking any locking device, door, gate or window.		10 Manufacture, possession, introduction, or use of any unauthorized controlled substance, alcohol beverage or associated paraphemalia.				17 Self-mutilation.	27 Giving or offering any official or staff member a bribe.	Giving or offering any official or	_	Violating any law of the Commor	Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.	l Disobeying an order of, lying to, or insolence toward a staff member.		4 Being out of place.	5 Unexcused absence from, willful failure to properly perform, or refusal to accept a work assignment, housing assignment or program	8 Conduct which disrupts or interferes with the security or orderly running of institution,		Refusal to take a breathalizer test				Setting fire.			Possession of items, including money or currency, not authorized for retention or receipt by the inmate.			26 Stealing.		other person, for rendering legal assistance.	Failure to keep one's person or one's quarters in accordance with institutional rules.		Wearing or displaying colors or any type of emblem, insignia or logo suggesting possible membership or affiliation with a gang, group,	party of other association whenever such wearing of display may, in the opinion of the superintendent, pose a threat to the security, good
000	-	1-2	1-3	4	1-5	9-1	1-7	1-8	1-9	1-10	1-11	1-12	1-13	2-1	2-2	2-3	2-4	2-5	2-6	2-7	2-8	2-9	2-10	2-11	2-12	2-13	2-14	2-14	,	2-16	2-17		3-1	3-2	3-3	
					Category	_	Offenses	(High)	,														Category	=	Offenses	(Medium)								Category	Offenses	(Low)



APPENDIX A: CLASSIFICATION FORM

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MASSACHUSETTS STATE DEPARTMENT OF CORRECTION OFFENDER CLASSIFICATION FORM

INMATE NAME	MCI#	INSTITUTION								
COMPLETED BY DATE_		CURRENT CLASSIFICATION SECURITY LEVEL								
SECTION A - INITIAL CLASSIFICATION SCORE		SECTION B - SUBSEQUENT CLASSIFICATION SCORE								
Severity of Current Offense		Criminal Violence History (not including present offense)								
High4High-Moderate3Moderate2Low-Moderate1Low0		Recent (within 5 years)								
2. Escape History		2. Escape History								
High 9 Moderate 5 Low 2 None 0		Recent (within 5 years) 4 Past (over 5 years) 0 None								
Prior Institutional Violence/ Major Disciplinary History		History of Institutional Adjustment (previous incarceration only)								
High		Severe Problems Within past 2 years of last incarceration 4 Over 2 years of last incarceration 4 Moderate Problems Within past 2 years of last incarceration 4 Over 2 years of last incarceration 1 No Problems								
4. Overall Criminal History		Percentage of Time Served (based on time to parole eligibility)								
High4High-Moderate3Moderate2Low-Moderate1Low0		0 - 25%								
5. Inmate's Age D.O.B//		5. Number of Significant Disciplinary Convictions Past 12 Months (this incarceration only)								
29 years or younger		5 or more reports 17								
TOTAL INITIAL CLASSIFICATION SCORE (A)		4 or more reports								
SECURITY DESIGNATION	_	1 reports								
INITIAL CLASSIFICATION SECURITY LEVEL DESIGN	IATIONS									
Minimum/Pre 0-8 points Medium 9-24 points Maximum 25 or more points	S	Unfavorable reports								
DATES		7. Program Performance Past 12 Months (this incarceration only)								
S.E.: / / / P.E.: / /	_	Poor 9 Average 6 Good 3 Excellent 0								
G.C.D.:		TOTAL SUBSEQUENT CLASSIFICATION SCORE (B)								
	SECURITY DESIGNATION									
	SUBSEQUENT CLASSIFICATION SECURITY LEVEL DESIGNATIONS									
		Minimum/Pre 0-5 points Medium 6-26 points Maximum 27 or more points								



APPENDIX B: LIST OF VIOLENT OFFENSES



Offenses Against the Person (Chapter 265)

Murder, 1st degree (Section 1)

Murder, 2nd degree (Section 2)

Manslaughter (Section 13), includes negligent homicide

Vehicular Homicide

Assault with Intent to Commit Murder (Section 15) includes assault with intent to murder, maim, etc.; assault to commit murder; assault with intent to kill.

Attempted Murder (Section 16)

includes all attempts to commit murder, other than assaults; attempted murder, attempts to commit murder by poisoning, drowning, or strangling.

Accessory to Before/After Fact

includes accessory after the fact, accessory before the fact, conspiracy to commit murder (Ch. 274 S.2,4,6,7)

Armed Robbery (Section 17)

Unarmed Robbery (Section 19)

includes robbery, robbery-not being armed, robbery by force and violence.

Unarmed Robbery Victim Over 65 (Section 19(a))

Armed Asslt to Steal M.V. 21A

Aslt D.W. gt. 65 15B a

Armed Assault with Intent Rob or Murder, Victim Over 65 (Section 18(a))

Assaults with Intent to Rob Murder being Armed (Section 18) includes assault with a deadly weapon with intent to rob.

Date: March, 1994



Assaults with Intent to Rob Steal not being Armed (Section 20) includes assault to rob, assault with intent to rob, assault with intent to rob by force and violence.

Confining or Putting in Fear a Person for the Purpose of Stealing (Section 21) includes breaking, burning or blowing up a safe.

Armed Assaults in Dwelling Houses (Section 18A) the act maybe an actual assault or an attempt.

Stalking 265-43

Assault and Assault and Battery (Section 13A and 13D) includes assault, assault and battery, assault on an officer.

Assault and Battery with Dangerous Weapon (Section 15A)

Assault by Means of a Dangerous Weapon (Section 15B) includes armed assault.

Mayhem (Section 14)

Assault not Before Mentioned (Section 29) includes assault with intent to commit manslaughter, intimidating a witness.

A + B DW Victim Over 65 (Section 15A(a))

Kidnapping (Section 26) includes abduction, holding hostage.

Extortion (Section 25) includes attempts to extort money, threats.

Violation of Civil Rights (Section 37)

Conspiracy

Where possible do not code case, but under the specific crime that the subject conspired to commit. That is, conspiracy to commit larceny should be coded as (522) Larceny.

Commission of Felony for Hire (13G)
Additional Punishment/Should have a codefendant



Sex Offenses Against the Person (Chapter 265)

Rape (Section 22 section (b))

Aggravated Rape (Section 22 (a))

Assault with Intent to Commit Rape (Section 24) includes attempts to rape.

Rape of Female Under Sixteen (Section 22A) rape of child with force.

Rape of Child (Section 23)

includes carnal abuse of a child, carnal abuse of a child under "x" years, statutory rape.

Assault on Female under Sixteen with Intent to Commit Rape (Section 24B) includes attempts to carnally abuse, assault on child under the age of consent.

Indecent Assault and Battery on Child under 14 (Section 13B) includes indecent assault and battery on a minor.

Indecent Assault and Battery on a Person over 14 (Section 13H)

Indecent Assault and Battery on Mentally Retarded Victim (Section 13F)



NEW DEVELOPMENTS

NEW DEVELOPMENTS

NEW DEVELOPMENTS

The newly implemented Objective Point Based System is being utilized as it was intended. It is statistically sound and research based. The research shows that the Department is utilizing bed space efficiently based on the risk inmates pose and public safety concerns. Certainly, a few variables require modification and some "fine tuning". It is important to note that during the design and implementation of this system, a few initiatives/developments arose that impacted the project. These developments included the following:

<u>Truth in Sentencing</u> - Due to the passage of this legislation, Inmates will be serving longer prison terms without the application of statutory good time, their risk rating factor may increase, thereby necessitating a longer period of time in a higher security facility.

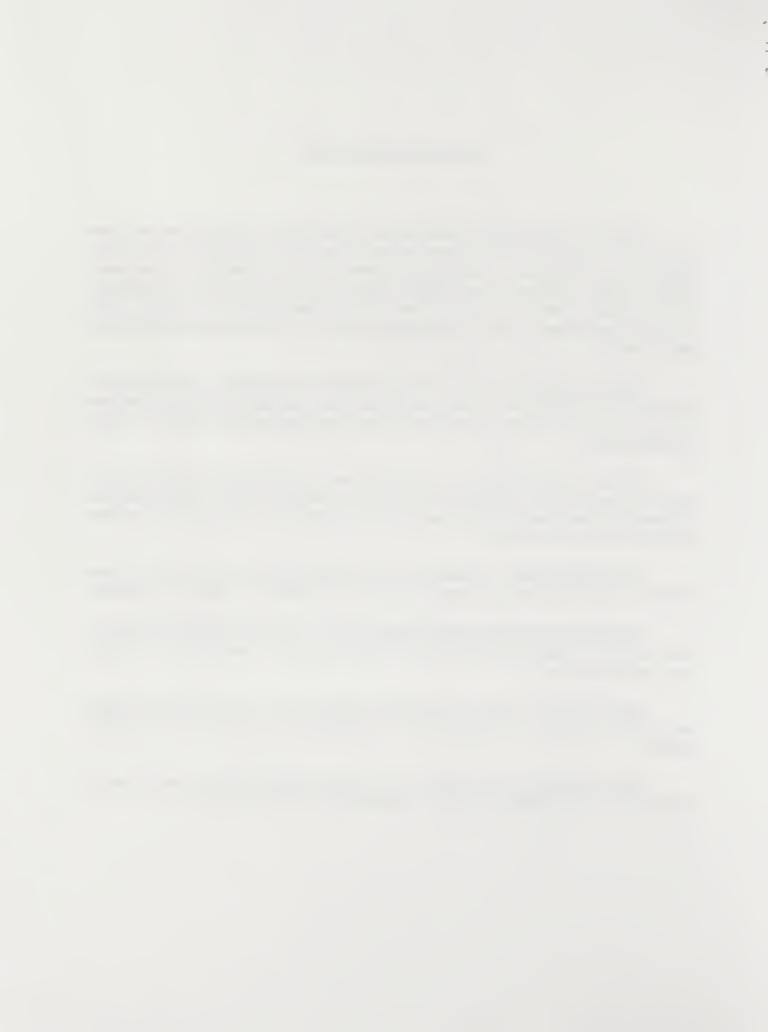
<u>Security Threat Groups</u> - The Department of Correction has experienced increased commitments of Security Threat Group members, many of whom attempt to continue their gang related activity within the prison setting, creating risk that requires placement in a secure facility.

<u>Court Order "Caps"</u> - The state's only male reception center's count has been "capped". This action requires classification staff to focus on bed space management.

<u>Immigration and Naturalization Services (I.N.S.)</u> - Due to changing federal laws, more non-U.S. citizen inmates are likely to face deportation; thereby necessitating a secure facility placement.

<u>Sex Offenders</u> - Based upon research the Department requires that sex offenders participate in sex offense programs prior to considering any placement in a level 3/2 facility.

<u>Public Safety Security Program</u> - This program requires the review of selected offenders by the Parole Board prior to placement in a level 3/2 facility.



RECOMMENDATIONS

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The low movement rates accross security levels suggest that the new system is effective in assigning inmates to the appropriate security level. However, the DOC continues to experience overcrowding in our secure facilities while maintaining vacancies in Community Corrections. Alternative recommendations are needed which would allow for the utilization of current bed space, while preserving public safety.

Recommendations have been formulated and are highlighted as follows:

- Consider constructing a perimeter around a Level 3 facility
 to expand Level 4 bed space
- Secure funding for the Corrections Compact to facilitate interstate placements
- Enhance collection of verifying data to expediate the review of pertinent criminal history information
- Secure Official Versions of offenses in a timely manner particularly from the major committing counties
- Staff a Level 3 facility with twenty-four (24) hour medical services to facilitate the placement of inmates with special medical issues in lower security

- Reassess impact of the court order which requires the DOC to house the "52 A" population from Suffolk and Middlesex Counties as this impacts the crowded conditions at MCI-Concord
- ► Eliminate multiple Correction Agencies
- Consolidation of existing Public Safety Information Systems
- Establish intermidiate sanctions for non-violent offenders
- Develop a Medical Needs assessment instrument
- Establish a unified prisoner classification system (State & County)
- Explore initiatives that would result in the speedy resolution of pending court cases
- Establish an internal tracking system to monitor the resolution of outstanding classification issues.

